on shipments under the Special Chemical License procedure. However, the value of each shipment must be shown on the Shipper's Export Declaration.

(2) *Shipper's Export Declaration.* The Shipper's Export Declaration covering an export made under a Special Chemical License shall be prepared in accordance with standard instructions. Although the Special Chemical License may describe the commodities in broad terms, commodity descriptions on the Declaration shall be specific.

(i) The description shall: (A) Conform to the applicable Commodity Control List description, and cite the Export Control Commodity Number in parentheses beneath the Schedule B number;

(B) Incorporate any additional information where required by Schedule B (e.g., the type, size, or name of the specific commodity).

(ii) Firms authorized to file summary SED reports to the U.S. Census Bureau may, at the request of the Office of Export Licensing (OEL), be required to submit for OEL inspection copies of such reports applicable to exports under a Special Chemical License.

(3) *Mail shipments.* Shipments by mail shall be made in accordance with the instructions contained in § 786.1(b) of this subchapter.

(4) *Destination control statement.* The U.S. exporter shall enter one of the destination control statements contained in § 786.6 (d)(1) or (d)(2) of this subchapter on the commercial invoice and bill of lading or airway-bill covering exports under the Special Chemical License procedure.

(j) *Notification of consignee by exporter.* The U.S. exporter shall notify each consignee that no commodities imported under the Special Chemical License may be transferred or resold, or reexported except to end-users approved on the license or to destinations for which a validated license is not required.

(k) *Reexport notification requirements.* Unless specifically exempted on the license or subsequently in writing by OEL, all approved consignees not located in a country listed in supplement No. 2 or 8 to part 773, when reselling commodities received under this procedure to pre-approved end-users in countries listed in supplement No. 5 to part 778 of this subchapter, must notify these end-users on the commercial invoice (or by such other means specifically approved by OEL) of the restrictions on unauthorized reexports. The notice shall read as follows:

These commodities were authorized for export from the United States under a Special Chemical License procedure on the condition that they may not be reexported without prior approval from the United States authorities. This prior approval is not required for reexports to NATO member countries, Australia, Austria, Ireland, Japan, New Zealand, and Switzerland.

(l) *Recordkeeping requirements.* The license holder and consignees must maintain records of all transactions under the license in accordance with the recordkeeping requirements of § 787.13 of this subchapter. The license holder, any approved consignees, or any approved end-user may be requested to produce records of transactions conducted under the Special Chemical License procedure for inspection and copying by an authorized agent, official, or employee of the Bureau of Export Administration, the U.S. Customs Service, or the U.S. Government in accordance with the provisions of § 787.13(f) of this subchapter.

(m) *Exceptions.* In the event that the license holder or an approved consignee is unable to meet any of the requirements of the Special Chemical License procedure, but believes that unusual circumstances warrant a waiver or an exception of one or more of these requirements, the license holder, and only the license holder, may consult with or write to OEL, explaining the circumstances in full, and submit a written request for a waiver or exception.

PART 787—[AMENDED]

§ 787.13 [Amended]

4. In § 787.13, paragraph (c) is amended by adding the reference "773.9," following the reference "773.8," in the second sentence.

Dated: October 18, 1991.

Michael P. Galvin,

Assistant Secretary for Export Administration.

[FR Doc. 91-25660 Filed 10-23-91; 8:45 am]

BILLING CODE 3510-DT-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 111

Annual User Fee for Customs Broker Permit; General Notice

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of due date of broker user fee.

SUMMARY: This is to advise Customs brokers that for 1992 the annual user fee of $125 that is assessed for each permit held by an individual, partnership, association, or corporate broker is due by January 2, 1992. This announcement is being published to comply with the Tax Reform Act of 1986.

DATES: Due date for fee: January 2, 1992.

FOR FURTHER INFORMATION CONTACT: Robert W. Page, Chief, Entry Compliance Branch (202) 566-5307.

SUPPLEMENTARY INFORMATION:

Background

Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. 99-272) established that an annual user fee of $125 is to be assessed for each Customs broker permit held by an individual, partnership, association, or corporation. This fee is set forth in the Customs Regulations in § 111.96 (19 CFR 111.96).

Section 111.96, Customs Regulations, provides that the fee is payable for each calendar year in each district where a broker has a permit to do business by the due date which will be published in the Federal Register annually.

Section 1893 of the Tax Reform Act of 1986 (Pub. L. 99-514), provides that notices of the date on which payment is due of the user fee for each broker permit shall be published by the Secretary of the Treasury in the Federal Register by no later than 60 days before such due date.

This document notifies brokers that for 1992 the due date for payment of the user fee is January 2, 1992. It is expected that annual user fees for brokers for subsequent years will be due on or about the first of January each year.

Dated: October 16, 1991.

Michael H. Lane,

Deputy Commissioner of Customs.

[FR Doc. 91-25598 Filed 10-23-91; 8:45 am]

BILLING CODE 4820-02-M

RAILROAD RETIREMENT BOARD

20 CFR Parts 236 and 240

RIN 3220-AA92

Removal of Obsolete Parts

AGENCY: Railroad Retirement Board.

ACTION: Final rule; removal.

SUMMARY: The Railroad Retirement Board (Board) hereby removes part 236, "Payments of Benefits of $1,000 or Less," and part 240, "Pensions," because those parts are now obsolete.

EFFECTIVE DATE: This regulation is effective October 24, 1991.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Assistant General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751–4513 (FTS 386–4513) TDD (312) 751–4701, TDD (FTS 386–4701).

SUPPLEMENTARY INFORMATION: Part 236 of the Board's regulations concerns payment of benefits owing to an estate of a deceased individual with or without formal administration of the estate of such individual, and was originally promulgated to permit payment of such benefits without the requirement that an estate be opened. Under this part the Board was required to interpret and apply State probate law. However, since virtually all States now provide for small estates procedures the regulations in this part are no longer used, and it is being removed.

Part 240 of the Board's regulations deals with pensions payable under section 6 of the Railroad Retirement Act of 1937. Section 203 of Public Law 93–445 provided that individuals receiving pensions under section 6 of the RRA of 1937 would be entitled to annuities under the Railroad Retirement Act of 1974. Accordingly, no benefits are payable under part 240 and it is being removed.

Because this rule simply removes regulations which are now clearly out of date, public comment was not considered necessary and, thus, this rule was not published in proposed form.

The Board has determined that this is not a major rule under Executive Order 12291. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Parts 236 and 240

Railroad employees, Railroad retirement.

Under the authority provided in 45 U.S.C. 231f(b)(5), and for the reasons set out in the preamble, subchapter B of chapter II of title 20 of the Code of Federal Regulations is amended as follows:

PART 236—[REMOVED AND RESERVED]

2. Part 236, consisting of §§ 236.1 through 236.4, is hereby removed and reserved.

PART 240—[REMOVED AND RESERVED]

3. Part 240, consisting of §§ 240.1 through 240.7, is hereby removed and reserved.

Dated: October 16, 1991.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 91–25579 Filed 10–23–91; 8:45 am]

BILLING CODE 7905–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

[Regulation No. 16]

RIN 0960–AC26

Supplemental Security Income for the Aged, Blind, and Disabled; Subpart P—Residence and Citizenship

AGENCY: Social Security Administration, HHS.

ACTION: Final rules.

SUMMARY: These final rules affect the treatment of aliens legalized under Public Law 99–603, the Immigration Reform and Control Act of 1986, for supplemental security income (SSI) purposes. These rules provide that aliens granted lawful temporary resident status under section 245A of the Immigration and Nationality Act (INA), as added by section 201 of Public Law 99–603, are considered to be permanently residing in the United States under color of law. The rules also set out the proof to be provided by certain seasonal agricultural workers who are granted lawful temporary resident status under sections 210 and 210A of the INA, as added by sections 302 and 303 of Public Law 99–603, to establish that they are lawfully admitted to the United States for permanent residence for SSI purposes. To the extent that Medicaid eligibility is based on SSI eligibility, these regulations affect the Medicaid program.

EFFECTIVE DATE: These rules are effective October 24, 1991.

FOR FURTHER INFORMATION CONTACT: Irving Darrow, Esq., Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, 301–966–0512.

SUPPLEMENTARY INFORMATION: Section 1614(a)(1)(B) of the Social Security Act provides that to be eligible for SSI benefits an individual must be a citizen or an alien either lawfully admitted for permanent residence or permanently residing in the United States under color of law.

Section 416.1615 of the current regulations sets out the proof an alien must provide to show that he or she is lawfully admitted to the United States for permanent residence. Section 416.1618 of the regulations, published at 52 FR 21939 (June 10, 1987), provides that an alien is permanently residing in the United States under color of law if he or she is in the United States with the knowledge and permission of the Immigration and Naturalization Service (INS) and INS does not contemplate enforcing the alien's departure.

Section 201 of Public Law 99–603 added section 245A to the INA, which provides that beginning not later than May 5, 1987, aliens who have continuously resided in the United States illegally since before January 1, 1982, can apply for and may be granted lawful temporary resident status. We are amending § 416.1618(b) to provide that aliens granted such lawful temporary resident status under section 245A are to be considered aliens permanently residing in the United States under color of law. The rule also sets out the documentation which the alien can provide as proof that he or she has been granted lawful temporary resident status.

Public Law 99–603 provides that aliens granted lawful temporary resident status generally are barred from participation in Federal programs of financial assistance for 5 years from the date the status was granted. SSI is specifically exempted from the definition of financial assistance for purposes of this prohibition. The legislative history is clear that Congress intended aliens legalized under Public Law 99–603 to be able to establish eligibility for SSI benefits (H.R. Rep. No. 682, part I, 99th Cong., 2d Sess. 74 (1986)).

Section 210 of the INA, as added by section 302 of Public Law 99–603, provides that certain seasonal agricultural workers can apply for and be granted lawful temporary resident status. Section 210 specifically provides that these aliens are to be considered as lawfully admitted to the United States for permanent residence for purposes other than immigration. Therefore, we are amending § 416.1615(a)(4) to set out the proof which these aliens 'must provide to establish that they are lawfully admitted to the United States for permanent residence for SSI purposes.

Section 210A of the INA, as added by section 303 of Public Law 99–603, provides for the admission of additional aliens to meet the shortage of workers to perform seasonal agricultural work. These aliens would be admitted for or adjusted to lawful temporary resident status and considered to be aliens lawfully admitted for permanent residence for purposes other than immigration. We are also amending § 416.1615(a)(4) to set out the proof which these aliens must provide to establish that they are lawfully admitted to the United States for SSI purposes.

We are including this change in these final regulations although it was not in the notice of proposed rulemaking (NPRM) published on January 30, 1989 (54 FR 4296). The affected individuals were not admitted to the United States until fiscal year 1990 and INS had not developed procedures for this group of aliens when the NPRM was published. Since the INS procedures are now in place, we have included as a final rule the proof these aliens must provide to establish lawful admittance for permanent residence.

Section 416.1615(a)(4) of the above-cited regulations published on June 10, 1987, contained an incorrect reference to INS documentation procedures for purposes of section 245 of the INA. Section 416.1615(a)(1) of these final rules corrects that documentation requirement by describing the forms of Alien Registration Receipt Cards necessary to show lawful permanent resident status.

We are also deleting § 416.1605. There is no time limit for establishing United States residency in order to be SSI eligible. The 30–day requirement pertains to eligibility for SSI benefits of individuals who are outside of the United States for 30 days. The requirement is already contained in § 416.214.

We are also adding an explanation to § 416.1618(a) to make clear that determinations that an alien is permanently residing in the United States under color of law are not made using the rules in that paragraph alone, but are also to be based on the rules in paragraphs (b) through (e) of § 416.1618. We are including this change in these final regulations although it was omitted from the NPRM published on January 30, 1989 (54 FR 4296).

The Department, even when not required by statute, as a matter of policy generally follows the Administrative Procedure Act's (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We find good cause to dispense with notice of proposed rulemaking and public comment procedures for the deletion of § 416.1605 and the revision of § 416.1615(a) (4). We believe that publication of § 416.1605 as a notice of proposed rulemaking is contrary to the public interest. As we explained, § 416.1605 of the current regulations includes an incorrect statement of Social Security Administration policy. We believe it is in the public's interest to have this statement of policy deleted to prevent its further application.

We believe that publication of the change in § 416.1615(a) (4) regarding aliens admitted under section 210A of the INA with notice and comment is unnecessary. The rule does not represent any exercise of discretion by the Secretary regarding the status of these aliens but merely specifies that the document provided by the INS to these aliens is the required proof of lawful admittance for permanent residence for SSI purposes.

Discussion of Comments

These rules were published as an NPRM in the **Federal Register** on January 30, 1989 (54 FR 4296). Five commenters responded. A summary of the comments and our responses follows:

Comment: Four commenters objected to the deletion of current § 416.1615(a) (4) which includes as proof of lawful admittance for permanent residence in the United States: "Any document which shows you have been granted lawful permanent resident status under section 245 of the Immigration and Nationality Act." They feel that the deletion imposes limitations on an alien seeking to prove lawful admission for permanent residence.

Response: The deletion of § 416.1615(a)(4) was not a policy change in what we accept as evidence of lawful admittance for permanent residence. It was deleted because it is duplicative of § 416.1615(a) (1) and (b). Individuals who have been granted lawful permanent residence status under section 245 of the INA normally receive from INS the evidence described in § 416.1615(a)(1). In those relatively unusual situations where the individual does not have that evidence, lawful admittance for permanent residence may be proven under § 416.1615(b), which is a general section giving us wide latitude on what we accept as evidence. Under § 416.1615(b) we may find lawful admittance for permanent residence if the individual does not have the usual documents in § 416.1615(a), can explain why the usual documents are not available, and provides information "which shows or results in proof (that the individual is) lawfully admitted for permanent residence in the United States." This gives us the flexibility to accept certain documents suggested by three of the commenters, such as INS Form G–641 or a decision of an administrative law judge granting suspension of deportation pursuant to 8 U.S.C. 1254(a)(1). We are adding INS Forms AR–3 and AR–3a (Alien Registration Receipt Card) to § 416.1615(a)(1) as they are earlier versions of INS Forms I–151 and I–551. Another form mentioned by a suggester, INS Form I–181B (Memorandum of Creation of Record of Lawful Permanent Residence), has not been considered by INS to be acceptable documentation of lawful admittance for permanent residence for several years and we also do not accept it as such.

Comment: Two commenters suggested that § 416.1618 be revised to provide that applicants for lawful temporary resident status under Public Law 99–603 be considered as permanently residing in the United States under color of law.

Response: The suggested revision is unnecessary. Although applicants for lawful temporary resident status have not been granted an immigration status, they cannot be deported while their applications are pending. Thus, they are considered as permanently residing in the United States under color of law pursuant to § 416.1618(b)(17) as redesignated by these final regulations. That section includes aliens living in the United States with the knowledge and permission of the INS and whose departure that agency does not contemplate enforcing.

Comment: One commenter pointed out that the State Medicaid Manual issued by the Health Care Financing Administration (HCFA) describes seasonal agricultural workers, granted lawful permanent residence by section 302 of Public Law 99–603, as permanently residing in the United States under color of law.

Response: HCFA on September 7, 1990, published final regulations covering the Medicaid eligibility of aliens. These regulations reflect the correct status of seasonal agricultural workers for Medicaid eligibility.

Regulatory Procedures

Executive Order No. 12291

These final rules reflect several sections of Public Law 99–603 pertaining to certain aliens granted temporary resident status in the United States. The changes in the statute have resulted in more aliens meeting the definition of lawfully admitted for permanent residence and permanent residence under color of law, and therefore more aliens are receiving SSI benefits. The number of additional SSI recipients cannot be precisely determined because, absent the legislation, some portion of the aliens could still be found to meet color of law under the provisions of the court decision in the case of *Berger* v. *Heckler*, 771 F.2d 1556 1985). The estimates below are overstated to the extent that an indeterminate number of the aliens would have been found eligible without the change in the law.

Public Law 99–603 provided for finite periods in which an alien must file for temporary residence status and permanent residence status in the United States. Based on those time limitations the number of aliens eligible for SSI benefits whose documentation requirements are covered by these final rules is expected to decrease after 1990. The estimates assume the decrease in numbers of those eligible will mirror the buildup. The estimated cost, in millions of dollars, for the first 5 full years of the change in the law are as follows:

[Dollars in millions]

	1988	1989	1990	1991	1992
Number of cases	1,300	3,400	6,400	5,100	3,000
SSI costs:					
Federal	$2	$7	$15	$16	$10
State supp	1	3	7	8	5
Medicaid costs:					
Federal	(1)	5	10	10	5
State	5	10	20	15	10
Federal administrative	4	10	6	3	2
Total	12	35	58	52	32

[1] Negligible (less than $1 million).

It is clear that these costs do not exceed the $100 million threshold established by Executive Order No. 12291 for performing a regulatory impact analysis. Further, the costs result from legislative provisions and not from the regulations, and are already budgeted.

Paperwork Reduction Act of 1980

These final regulations impose no new reporting or recordkeeping requirements subject to Office of Management and Budget clearance.

Regulatory Flexibility Act

We certify that these final regulations will not have a significant economic impact on a substantial number of small entities because they affect only individuals and States. Therefore, a regulatory flexibility analysis as provided in Public Law 96–354, the Regulatory Flexibility Act, is not required.

(Catalog of Federal Domestic Assistance Program No. 93.807, Supplemental Security Program)

List of Subjects in 20 CFR Part 416

Administration practice and procedure; Aged, Blind, Disability benefits; Public assistance programs; Supplemental Security Income.

Dated: December 10, 1990.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: February 21, 1991.

Louis W. Sullivan,

Secretary of Health and Human Services.

Editorial note: This document was received at the Office of the Federal Register on October 18, 1991.

Part 416 of chapter III of title 20 of the Code of Federal Regulations is amended as follows:

PART 416—[AMENDED]

1. The authority citation for subpart P of part 416 continues to read as follows:

Authority: Secs. 1102, 1614(a)(1)(B) and (e), and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382c(a)(1)(B) and (e), and 1383; sec. 502 of Pub. L. 94–241, 90 Stat. 268.

§ 416.1605 [Removed]

2. Section 416.1605 is removed.

3. In § 416.1615, paragraphs (a)(1) and (a)(4) are revised to read as follows:

§ 416.1615 How to prove you are lawfully admitted for permanent residence in the United States.

(a) * * *

(1) An Alien Registration Receipt Card (Immigration and Naturalization (INS) Form I–151 or I–551, including temporary I–551s which are stamped in a passport, or on INS Form I–94 (Arrival-Departure Record) for aliens admitted under sections 204, 206, or 245 of the Immigration and Nationality Act, and the earlier version INS Form AR–3 or AR–3a);

* * * * *

(4) INS Form I–688 which shows that you have been granted lawful temporary resident status under section 210 or section 210A of the Immigration and Nationality Act.

* * * * *

4. In § 416.1618, paragraph (a) is revised, paragraph (b) is amended by revising the introductory text, by revising (b)(15), by redesignating (b)(16) as (b)(17), and by adding a new (b)(16), and paragraphs (d)(2) and the introductory text of paragraph (d)(3) are revised to read as follows:

§ 416.1618 When you are considered permanently residing in the United States under color of law.

* * * * *

(a) *General.* We will consider you to be permanently residing in the United States under color of law and you may be eligible for SSI benefits if you are an alien residing in the United States with the knowledge and permission of the Immigration and Naturalization Service and that agency does not contemplate enforcing your departure. The Immigration and Naturalization Service does not contemplate enforcing your departure if it is the policy or practice of that agency not to enforce the departure of aliens in the same category or if from all the facts and circumstances in your case it appears that the Immigration and Naturalization Service is otherwise permitting you to reside in the United States indefinitely. We make these decisions by verifying your status with

the Immigration and Naturalization Service following the rules contained in paragraphs (b) through (e) of this section.

(b) *Categories of aliens who are permanently residing in the United States under color of law.* Aliens who are permanently residing in the United States under color of law are listed below. None of the categories includes applicants for an Immigration and Naturalization status other than those applicants listed in paragraph (b)(6) of this section or those covered under paragraph (b)(17) of this section. None of the categories allows SSI eligibility for nonimmigrants; for example, students or visitors. Also listed are the most common documents that the Immigration and Naturalization Service provides to aliens in these categories:

* * * * *

(15) Aliens whose deportation has been withheld pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)). We ask for an order from an immigration judge showing that deportation has been withheld;

(16) Aliens granted lawful temporary resident status pursuant to section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a). We ask for INS form I-688 showing that status; or

* * * * *

(d) * * *

(2) If you give us any of the documents listed in paragraphs (b)(1), (2), (3), (4), (8), (9), (11), (12), (13), (15), or (16) of this section, we will pay you benefits if you meet all other eligibility requirements. We will contact the Immigration and Naturalization Service to verify that the document you give us is currently valid.

(3) If you give us any of the documents listed in paragraphs (b)(5), (6), (7), (10), or (14) of this section, or documents that indicate that you meet paragraph (b)(17) of this section, or any other information to prove you are permanently residing in the United States under color of law, we will contact the Immigration and Naturalization Service to verify that the document or other information is currently valid. We must also get information from the Immigration and Naturalization Service as to whether that agency contemplates enforcing your departure. We will apply the following rules:

* * * * *

[FR Doc. 91-25526 Filed 10-23-91; 8:45 am]

BILLING CODE 4190-29-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1313

Importation and Exportation of Precursors and Essential Chemicals

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations implementing the Chemical Diversion and Trafficking Act of 1988 (CDTA) to simultaneously grant regular supplier or regular customer status for three of the listed chemicals (acetone, 2-Butanone (MEK), and toluene) when regular supplier or regular customer status has been established for one of these chemicals. This amendment reduces the regulatory requirement on the chemical industry without reducing the effectiveness of the CDTA.

EFFECTIVE DATE: November 25, 1991.

FOR FURTHER INFORMATION CONTACT: Chief State and Industry Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, (202) 307-7297.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was published in the **Federal Register** on June 14, 1991 (56 FR 27472) to amend 21 CFR 1313.15 and 1313.24 to grant regular customer or regular supplier status for three listed solvents (acetone, 2-Butanone (MEK), and toluene) when regular customer or regular supplier status is granted for one of these chemicals.

DEA previously noted that many of the regular customers and regular suppliers submitted to DEA for review handle the three chemicals on a regular basis. In considering the illicit uses of these three solvents, it has been determined that they are frequently interchanged for each other. Therefore, DEA's review of foreign customers and suppliers would address concerns which apply to all three of these chemicals.

The proposed rulemaking provided an opportunity for interested parties to submit comments in writing on or before August 13, 1991. There were no comments received concerning this notice of proposed rulemaking. Consequently, 21 CFR 1313.15, Waiver of 15-day Advance Notice for Chemical Importers is amended by redesignating paragraph (d) as paragraph (e) and inserting a new paragraph (d) providing regular supplier status for three of the listed chemicals, specifically acetone, 2-Butanone (MEK), and toluene, when regular supplier status has been established for one of the three chemicals. Title 21 CFR 1313.24, Waiver of 15-day Advance Notice for Chemical Exporters, is amended by redesignating paragraph (d) as paragraph (e) and inserting a new paragraph (d) providing regular customer status for three of the listed chemicals, specifically acetone, 2-Butanone (MEK), and toluene, when regular customer status has been established for one of the three chemicals.

The Deputy Assistant Administrator, Office of Diversion Control, hereby certifies that this final rule will not have significant impact upon entities whose interest must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601, et seq. The changes will not impose any additional regulatory requirements. This final rule is not a major rule for the purposes of Executive Order (E.O.) 12291 of February 17, 1981. Pursuant to sections 3(c)(3) and 3(e)(2)(C) of E.O. 12291, this final rule has been submitted for review to the Office of Management and Budget.

This action has been analyzed in accordance with the principles and criteria contained in E.O. 12612, and it has been determined that this final rule does not have sufficient federalism implications to warrant the preparation of Federalism Assessment.

List of Subjects in 21 CFR Part 1313

Drug Enforcement Administration, Drug traffic control, Exports, Imports, Reporting requirements.

For reasons set out above, 21 CFR part 1313 is amended as follows:

PART 1313—[AMENDED]

1. The authority citation for part 1313 continues to read as follows:

Authority: 21 U.S.C. 802, 830, 871(B), and 971.

2. Section 1313.15 is amended by redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) which reads as follows:

§ 1313.15 Waiver of 15-day advance notice for chemical importers.

* * * * *

(d) Unless the Administration notifies the chemical importer to the contrary, the qualification of a regular supplier of any one of these three chemicals, acetone, 2-Butanone (MEK), or toluene, qualifies that supplier as a regular supplier of all three of these chemicals.

* * * * *

3. Section 1313.24 is amended by redesignating paragraph (d) as (e) and adding a new paragraph (d) which reads as follows: